or 29 mg Practitioner

3.

ractitioner's Docket No. MPI98-021DV3M

1635

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re application of: | Tartaglia, et al. | | | |
|-----------------------|--|------------|---------------|--|
| Application No.: | 09/981,947 | Group No.: | 1635 | |
| Filed: | October 18, 2001 | Examiner: | McGarry, Sean | |
| For: | NUCLEIC ACID MOLECULES ENCODING GLUTX AND USES THEREOF | | | |

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RECEIVED

TRANSMITTAL

OCT 3 1 2003

- 1. Transmitted herewith for this application is/are:
 - a. This Transmittal (2 pages in duplicate);
 - b. Amendment and Response (4 pages).

TECH CENTER 1600/2900

STATUS

2. Applicant is other than a small entity.

PETITION FOR EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

| | ant petitions for an extension of time undemonth extension: | er 37 C.F.R. | 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(3)) for a |
|----------|--|-----------------------------|--|
| | | Fee: | \$ 0.00 |
| | Extension fee due with | this request | \$ 0.00 |
| | CERTIFICATION UNDER 3 | 7 C.F.R. SECT | IONS 1.8(a) and 1.10* |
| I hereby | certify that, on the date shown below, this correspon | dence is being: | |
| X | M deposited with the United States Postal Service in a 1450, Alexandria, VA 22313-1450. 37 C.F.R. SECTION 1.8(a) | IAILING an envelope addr | ressed to the Commissioner for Patents, P.O. Box 37 C.F.R. SECTION 1.10* |
| Œ | with sufficient postage as first class mail. | □ NSMISSION / | as "Express Mail Post Office to Addressee" Mailing Label No. |
| 0 | transmitted by facsimile to the Patent and Tradema | 1 1 1 1 1 1 | Liana Ventile |
| Date: O | October 27, 2003 | Diana (type of | Gentile r print name of person certifying) |

*WARNING:Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Page 1 of 2)

Practitioner's Docket No. MPI98-021DV3M

If an additional extension of time is required, please consider this a petition therefor.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | | (Col. 3) | OTHER THE SMALL EN | | |
|---|-------------------------------------|---------------|---------------------------------------|---|---------------|-----------------------|---|------------|
| | Claims Remaining Af Amendment | | Highest No. Previously Paid For | | Present Extra | Rate | | Addit. Fee |
| Total | 0 | Minus | 0 | = | 0 | \$18.00 | = | \$0.00 |
| Indep. | 0 | Minus | 0 | = | 0 | \$86.00 | = | \$0.00 |
| First Presentation of Multiple Claims | | ole Dependent | 0 | | | \$290.00 | = | \$0.00 |
| | | | | | | Total Addit. Fee | | \$0.00 |

Total additional fee for claims required

\$0.00

FEE PAYMENT

| 5. | Charge Account No. 501 | 668 the sum of | \$0.00 (which | n includes the | \$0.00 |
|----|------------------------|-----------------|-------------------|-----------------------|-----------------|
| | extension fee and the | \$0.00 addition | al fee for claims |). A duplicate of the | nis transmittal |
| | is attached. | | | | |

FEE DEFICIENCY

- 6. If any additional extension and/or fee is required, charge Account No. 501668. If any additional fee for claims is required, charge Account No. 501668.
- 7. Correspondence Address

Direct all future correspondence to:

Customer Number 30405

OR

Intellectual Property Department
MILLENNIUM PHARMACEUTICALS, INC.
75 Sidney Street

Cambridge, MA 02139

October 27, 2003

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Practitioner's Docket No. MPI98-021DV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | et No. <u>MPI98-021DV3</u> FHE UNITED STATES PATENT | AND TRADE | PATENT CHIEF OC | SCENED SON |
|-----------------------|--|------------|-----------------|------------|
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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir: In response to the Office Communication of September 26, 2003, please amend the aboveidentified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 4 of this paper.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

| | | | 20110 210(11) 11111 |
|-------------|---|--------------------------|---|
| I hereby | y certify that, on the date shown below, this correspond | idence is being: | |
| | N | 1AILING | |
| X | deposited with the United States Postal Service in 1450, Alexandria, VA 22313-1450. | an envelope addi | ressed to the Commissioner for Patents, P.O. Box |
| | 37 C.F.R. SECTION 1.8(a) | | 37 C.F.R. SECTION 1.10* |
| \boxtimes | with sufficient postage as first class mail. | | as "Express Mail Post Office to Address" Mailing Label No. |
| | TRA transmitted by facsimile to the Patent and Tradema | NSMISSION ark Office. | Jeans Gentile |
| Date: _ | 27 October 2003 (Monday) NING:Each paper or fee filed by "Express Mail" mus | (typ | ure Diana Gentile pe or print name of person certifying) per of the "Express Mail" mailing label placed |

thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this

requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Page 1 of 4)